

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAMONE KEITH ADAMS II,

Defendant.

Case No. 1:20-cr-68

**Motion for Detention Review:
Supplemental Information**

¶1. Now comes the Defendant, by and through counsel Theodore T. Sandberg, of the law firm Olson, Juntunen, Sandberg & Boettner, Ltd., Grand Forks, North Dakota, and submits this supplemental information in support of his Motion requesting that the Court review Defendant's pretrial detention.

¶2. The following letter was received via email from Patricia White in support of Mr. Adam's detention arguments. It has been copied and pasted here in this document for the convenience of the Court, the Government, and the record:

To Whom It May Concern:

I am writing to request re-instatement of the pre-trial release granted, in the state of Michigan, due to a change of circumstances and the risk associated with exposure to Covid-19. I acknowledge the serious nature of the allegations against Damone. I profess that the core foundation of Damone's upbringing, his commitment to being an engaged parent and adherence to Judge Patti's prior orders warrant allowing Damone to be released from custody pending trial.

Damone was raised in a loving and supportive environment with two professional parents, for the majority of his life. He was educated in private and public-school environments. He traveled the country as a competitive swimmer. After graduating from High School, Damone attended college. Although maturity and struggles with managing ADHD were an impediment to graduating from college, he continued to explore formal and informal training programs that aligned with his interest. After the recent birth of his son, he began to explore options for returning to college and/or formally expanding his technical skills.

Damone has strong family support and a close relationship with myself and his father (my ex-husband). He resides at his lifelong permanent residence (our family home). Damone is a devoted father who desires to parent and spend time with his infant son. Prior to turning himself-in on August 24, 2020, Damone parented his 10 month old son 18 hours per day. As you know, the child's mother was detained on August 27, 2020, due to a bond violation. This change of circumstance is a reason to allow a pre-trial release of Damone. Although the child is with me in a loving and stable environment, we are not a replacement for his father. Given the uncertain future of this situation, and presumption of innocence until proven guilty, Damone and his son deserve the opportunity to have at a minimum the pre-trial period to bond.

In addition to the preceding, as a healthcare professional, I am extremely concerned with the possibility of exposure to COVID-19 at the correctional facility where Damone is detained. The facility does not have windows, which could contribute to the spread of the virus, if an exposure occurs. The layout and occupancy do not allow for adequate social distancing. In spite for the preceding, although he has been detained since August 24, 2020, he received a mask for the first time on October 22, 2020. If Damone were found guilty of all alleged charges, he would not be sentenced to death. Yet detaining him during this pandemic, prior to being found guilty of anything, could possibly be a death sentence.

Again, I ascertain that Damone should be released pre-trial. His son deserves the benefit of bonding with with his father. Damone is not a flight risk, he was initially arrested at the address that is and has been his permanent residence (i.e. listed on his ID). Additionally, he is not a danger to society or no more of a danger than others in society who are free pending trial (i.e. Brian Higgins). Moreover, I contend that as previously exhibited under the release of judge Patty, his responsibilities as a father and commitment to his son will ensure above reproach conduct. I appreciate your time and consideration.

Respectfully,

Patricia White

¶3. Defendant Adams respectfully requests that the Court review and consider this information in making any decision and ruling regarding his detention.

Respectfully Submitted:

Dated: November 2, 2020

//Ted Sandberg //

Theodore T. Sandberg
Attorney at Law
Olson, Juntunen, Sandberg & Boettner, Ltd.
322 Demers, 4th Floor
Grand Forks, North Dakota
58206-5788
Phone: 701-775-4688
Fax: 701-775-2440
Email: tsandberg@ojs-law.com